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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MEDIOSTREAM, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION, ET AL.,

Defendants.

Case No.: 3:11-cv-2525-RS (JCS)

**STIPULATION AND
[PROPOSED] ORDER
GRANTING LEAVE TO AMEND
DEFENDANTS' INVALIDITY
CONTENTIONS AND BOVIK
EXPERT REPORT**

Judge: Hon. Joseph Spero
Courtroom G, 15th Floor

1 WHEREAS Defendants Acer America Corp, Apple Inc., Dell Inc., Gateway, Inc., Sonic
2 Solutions LLC, Sony Electronics Inc., Sony Corporation, and Microsoft Corporation
3 (collectively, "Defendants") propose amending their Invalidity Contentions pursuant to Patent
4 Rule 3-6;

5 WHEREAS Defendants submit that due to actions taken by the Patent Trial and Appeal
6 Board of the United States Patent and Trademark Office, good cause exists to amend the
7 Defendants' invalidity contentions and supplement the expert report of Dr. Alan C. Bovik to
8 take into account the affirmance of certain grounds of final rejection in the reexamination
9 proceedings of the asserted patents, U.S. Patent Nos. 7,009,655 ('655 patent) and 7,283,172
10 ('172 patent);

11 WHEREAS MedioStream agrees to these amendments, while reserving the right to
12 challenge their relevance and admissibility;

13 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among
14 the undersigned counsel, on behalf of their respective clients, that Defendants be granted leave
15 to amend their invalidity contentions per Defendants' Second Supplemental and Amended
16 Invalidity Contentions Pursuant To Patent Rule 3-3 ('655 and '172 Patents) (attached hereto as
17 Exhibit 1) and Defendants' Second Supplemental Expert Report on Invalidity by Dr. Alan
18 Conrad Bovik (attached hereto as Exhibit 2).

19 **IT IS SO STIPULATED.**

20
21
22 Dated: February 5, 2013

Respectfully submitted,

23 /s/ Scott A. Schrader

24 Scott A. Schrader

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1 Dated: February 5, 2013

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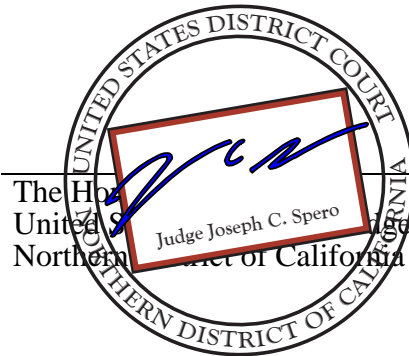
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25 *Attorneys for Plaintiff MedioStream, Inc.*

26 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

27 Dated: 02/06, 2013



SIGNATURE ATTESTATION

Pursuant to General Order 45, section X.B., I attest that I have obtained consent to file for all signatures indicated by the mark “/s/” within this electronically filed document.

/s/ Scott Schrader
Scott Schrader
Counsel for Defendant Microsoft Corporation